

REMARKS

Claims 1-12 are pending in this patent application, and stand rejected. This application continues to include claims 1-12.

The Examiner notes the use of the trademark Windows® in the application, and suggests that the term should be capitalized wherever it appears and be accompanied by generic terminology, and that every effort should be made to prevent the use in a manner which might adversely effect the validity of the mark. Applicants submit, however, that such precautions have been taken, even though each letter in the trademark is not capitalized.

In the present application, the first occurrence at page 2, line 4 of the Specification is in the form “Windows®”, and all further occurrences include the first letter capitalized. In particular, for example, the above-referenced first use at page 2, line 4, is in the form of “Windows® operating system”. Further, in the Specification at page 5, lines 18-20 (the first occurrence in the Detailed Description of the Invention section) it is stated that, “operating system 22 is preferably a Windows® operating system, such as Windows 98 or Windows 2000, available from Microsoft Corporation of Redmond, Washington, U.S.A.” Accordingly, Applicants respectfully submit the above steps are sufficient to indicate to a reader that “Windows” is a trademark that is federally registered, and to respect the proprietary nature of the mark, and that capitalizing each letter of each occurrence or providing ® at each occurrence is not necessary under the above circumstances when considered in its totality.

Claims 1-5, 7-8, 10 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lafky (U.S. Patent No. 6,809,830 B1) in view of Dowling (U.S. Patent No. 6,636,499 B1).

Each of Applicants' claims is directed to the creation of a network printer port on a computer workstation by transmitting a discovery packet to which a printer of a designated type can respond. The Examiner recognizes that Lafky does not disclose transmitting a discovery packet to which a printer of a designated type can respond, but relies on Dowling in an attempt to overcome the lack of disclosure in this regard in Lafky.

In addition, however, Lafky discloses using plug and play technology to detect the presence of a printer 211 connected to system bus 23 of personal computer 20. (See, e.g., Lafky, column 2, lines 49-52; column 4, lines 30-39; and Figs. 2 and 3). As stated in Lafky, column 4, lines 30-39, "The system further includes a Plug and Play manager 214 that uses conventional Plug and Play technology to send and receive configuration information to and from a printer 211 and the system bus 23. Such information includes hardware identification, interrupt requirements, and message formats. For acting as the operational interface between the printer 211 and the personal computer 20, the kernel mode components of FIG. 2 include a device driver 218. The device driver 218 is also responsible for initializing any printer that is attached to the system bus 23 in accordance with a set of parameters contained in an information file 206." Emphasis added). Thus, printer 211 of Lafky is attached to the system bus 23 of personal computer 20, and is not coupled to a network. While Lafky discloses at column 3, lines 34-42 a network connection between personal computer 20 and a remote computer 49, there simply is no disclosure, teaching or suggestion in Lafky of a communication between printer 211 and the network, or of communication between remote computer 49 and printer 211.

Thus, the Examiner's reliance on Lafky column 3, lines 30-36, as disclosing a printer coupled to a network is misplaced. The disclosure of Lafky column 3, lines 30-33 is in one

paragraph and merely discusses use a printer, e.g., printer 211, with a personal computer, e.g., personal computer 20, with no mention of a network connection. The cited disclosure in Lafky at column 3, lines 34-36, is in a different paragraph than lines 30-33, and discusses a network connection between personal computer 20 and a remote computer, e.g., remote computer 49. Clearly, as shown in each of Lafky Figs. 2 and 3, printer 211 is attached to the system bus 23 of personal computer 20. As stated above, there simply is no disclosure, teaching or suggestion in Lafky of a communication between printer 211 and the network, or of communication between remote computer 49 and printer 211.

Accordingly, contrary to the Examiner's contentions, Lafky does not disclose, teach or suggest: "communicatively coupling at least one printer to said network", as recited in claim 1; "a printer of a designated type coupled to said network", as recited in claim 8; or "each printer of a designated type on said network" as recited in claim 10.

Further, while Lafky discloses the creation of a printer port for communication with printer 211 via system bus 23, Lafky fails to disclose, teach or suggest the creation of a network printer port in either of personal computer 20 or remote computer 49. Establishing communications with a locally attached printer, as disclosed in Lafky, is not directed to the same endeavor as that of establishing communications with a network coupled printer, as those skilled in the art readily recognize.

Accordingly, contrary to the Examiner's contentions, Lafky does not disclose, teach or suggest: creating a first network printer port for said first printer based on said printer-specific network information for said first printer, as recited in claim 1; creating a first network printer port for said printer based on said printer-specific network information for said printer, as

recited in claim 8; or passing said printer-specific network information to said Windows print spooler for creation of said network printer port on said workstation, as recited in claim 10.

The Examiner relies on the Dowling disclosure of column 4, lines 57-65, with respect to claim 1 regarding “transmitting a discovery packet to which a first printer of a designated type can respond”, and further relies on column 10, lines 57-67 with respect to claim 7, which further recites that the discovery packet is a propriety broadcast message to which only a printer of said designated type on said network will respond.

As a first point, it is observed that neither Dowling nor Lafky, taken alone or in combination, provides any disclosure, teaching or suggestion of the creation of a network printer port on a computer workstation via the use of a discovery packet to which a printer of a designated type can respond (see, e.g., Applicants’ claims 1 and 8), let alone the creation of a network printer port on a computer workstation via the use of a discovery packet as a propriety broadcast message to which only a printer of the designated type on said network will respond (see, e.g., Applicants’ claim 7), or sending a proprietary broadcast message to which each printer of a designated type on said network can respond, said each printer of said designated type responding to said proprietary broadcast message with a unique data packet (see, e.g., Applicants’ claim 10).

Dowling, column 4, lines 57-65, on which the Examiner relies, merely discloses the sending of discovery packets to neighboring network devices on the network, with no delimiting with respect to, of which a device of a “designated type” can respond. From the cited passage, it appears that all “neighboring network devices”, regardless of type, would respond to the discovery packet, and this conclusion finds support in the Examiner’s second cited passage relating to this aspect, namely Dowling, column 10, lines 57-67. In particular,

Dowling, column 10, lines 57-67, on which the Examiner relies, discloses that the Cisco TM Discovery Protocol (CPD) is a “media-independent” device discovery protocol (emphasis added). As further stated in Dowling, column 11, lines 1-10, “It is to be understood that the present invention is not limited to devices that are compatible with CDP. CDP runs on all media that support the Subnetwork Access Protocol (“SNAP”), including LAN and Frame Relay. CDP runs over the data link layer only. Each network device sends periodic messages to a multicast address and listens to the periodic messages sent by others in order to learn about neighboring devices and determine when their interfaces to the media go up or down. Each device also advertises at least one address at which it can receive SNMP messages.” Thus, Dowling also does not disclose teach or suggest the concept of a discovery packet to which a printer of a “designated type” can respond, and further clearly does not disclose that the discovery packet is a propriety broadcast message to which only a printer of said designated type on said network will respond (claim 7), or sending a proprietary broadcast message to which each printer of a designated type on said network can respond, said each printer of said designated type responding to said proprietary broadcast message with a unique data packet (claim 10).

Accordingly, even if somehow Dowling was combined with Lafky (although Applicants’ submit that such a combination is tantamount to an attempted hindsight reconstruction of Applicants’ claims), such a combination would not yield Applicants’ claimed invention, and accordingly, their combination does not disclose, teach or suggest Applicants’ claimed invention.

In addition, independent claim 8 is directed to a computer program for automatically creating network printer ports on a computer workstation coupled to a network. Independent

claim 10 is directed to a method of automatically creating a network printer port on a workstation connected to a network, in a Windows ® environment. Neither of the cited references, taken alone or in combination, is directed to automatically creating a network printer port on a workstation coupled to a network as recited in claim 8, or directed to automatically creating a network printer port on a workstation connected to a network, in a Windows ® environment, as recited in claim 10. No such automatic creation of network printer ports is disclosed, taught or suggested in the cited references, taken alone or in combination.

For the above reasons, independent claims 1, 8 and 10 are believed to be in condition for allowance in their present form, and dependent claim 7 is believed allowable in its own right.

Claims 2-5 depend from claim 1, and claim 12 depends from claim 10. Claims 2-5 and 12 are believed to be in condition for allowance due to their dependence from an otherwise allowable base claim, respectively.

Accordingly, Applicants respectfully request that the rejection of claims 1-5, 7-8, 10 and 12 under 35 U.S.C. § 103(a) as being unpatentable over Lafky in view of Dowling be withdrawn.

Claims 6, 9 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lafky (U.S. Patent No. 6,809,830 B1) in view of Dowling (U.S. Patent No. 6,636,499 B1), and further in view of the Applicants' Admitted Prior Art (AAPA).

Claims 6, 9 and 11 are believed allowable due to their dependence from their respective base claim.

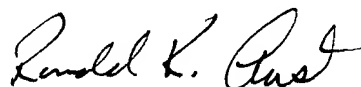
Accordingly, Applicants respectfully request that the rejection of claims 6, 9 and 11 under 35 U.S.C. § 103(a) as being unpatentable over Lafky in view of Dowling and further in view of the Applicants' Admitted Prior Art (AAPA) be withdrawn.

For the foregoing reasons, Applicants submit that the present application is in condition for allowance in its present form, and it is respectfully requested that the Examiner so find and issue a Notice of Allowance in due course.

In the event Applicants have overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby conditionally petition therefor and authorize that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (317) 894-0801.

Respectfully submitted,



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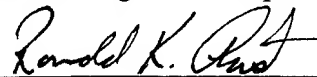
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MS Amendments, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: February 14, 2005.

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Name of Registered Representative



Signature

February 14, 2005

Date